Attorney's Docket No.: 15518-001001 / 407

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sanford Cobb, Jr. Art Unit : Unknown Serial No.: 10/616,529 Examiner: Unknown

Filed : July 10, 2003

Title TOTALLY INTERNALLY REFLECTING THIN, FLEXIBLE FILM

#### MAIL STOP PETITIONS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### RENEWED PETITION TO GRANT FILING DATE

In a decision dated May 25, 2005, the Office again refused to accord the above-captioned reissue application a filing date on the ground that the application, as filed, was incomplete. The decision was in response to Applicant's petition filed August 20, 2004, in which Applicant enclosed a copy of the postcard receipt filed with the original reissue application and courtesy copies of all documents filed with the original reissue application. The postcard receipt listed all documents filed with the original reissue application, including all the documents that the Office alleged were missing.

In its May 25, 2005 decision, which issued almost 9 months after Applicant's petition was filed and almost 2 years after the original reissue application was filed, the Office acknowledged that the postcard receipt "does properly itemize the application papers" and is "prima facie evidence of receipt in the Office of all items listed thereon on the date stamped thereon by the Office." However, the Office nevertheless denied the petition on the ground that "petitioner has not supplied the Office with the copies of the papers stated to have been missing in the 'Notice of Incomplete Reissue Application' (specification, including claims and abstract, and 4 sheets of drawings."

#### CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

Applicant: Sanford Cobb, Jr. Attorney's Docket No.: 15518-001001 / 40738US028

Serial No.: 10/616,529 Filed: July 10, 2003

Page : 2 of 2

Applicant is at a loss to understand the denial of the petition. In its petition filed August 20, 2004, Applicant did in fact include a second copy of all documents originally submitted. As proof, Applicant encloses a copy of the postcard receipt stamped August 23, 2004 that itemizes each and every item submitted. The postcard receipt demonstrates that Applicant indeed submitted copies of the documents the Office alleges are missing (specification, including claims and abstract, plus 4 sheets of drawings).

Applicant now submits, for the third time, a copy of the specification, including claims and abstract, and 4 sheets of drawings. Applicant also submits copies of the postcard receipt from the originally filed reissue application (7/10/03) and the postcard receipt from the first petition (8/20/04). The two postcard receipts establish that Applicant has already submitted the allegedly missing documents twice. Applicant further renews its request that the Office withdraw the Notice and accord the application a filing date.

Please charge any petition fee which may be due to Deposit Account No. 06-1050. Because the application was in fact complete as filed, and the Office erred in issuing the Notice, Applicant requests a refund of any petition fee charged to Deposit Account No. 06-1050.

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 6/13/05

Dorothy P. Whelan Reg. No. 33,814

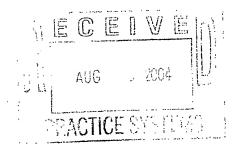
Fish & Richardson P.C., P.A. 60 South Sixth Street Suite 3300 Minneapolis, MN 55402

Telephone: (612) 335-5070 Facsimile: (612) 288-9696

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Attorney's Docket No. 15518-001001 Application No. 10/616,529	Filing Date July 10, 2003	Mailing Date August 20, 2004 Attorney/Secretary Init DPW/jxw	For PTO Use Only Do Not Mark in This Area
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Notice of Incomple Copies of: Express stamped return reconnection pages of specificat of abstract); Drawi Surrender; Declaration of the Complete Control of the Control of	iling Date (2 pages) ete Reissue Application s Mail Receipt, Express eipt postcard, Reissue A n Fee Transmittal Form ion, 6 pages of claims, 7 ngs; Consent of Assignation Pursuant to 37 CFI 3(b) (copy of Assign Re ent; Form PTO-1449	pplication Transmittal; ; Patent Application (3 76 total claims, 1 page see and Offer to & 1.175; Certificate	AUG 2 3 2004 STEATS TRADENTS





CHECKED BY:





Attorney's Docket No. 15518-001001 Application No.	Express Mail Label No. EV342625306US Filing Date	Mailing Date July 10, 2003  Attorney/Secretary Init DPW/jxw	For PTO Use Only Do Not Mark in This Area
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Patent Application 76 total claims, 1 p	(3 pages of specification ages of abstract)	n, o pages of claims,	
Consent of Assign Declaration Pursua Certificate Under Information Discle	ee and Offer to Surrende ant to 37 CFR § 1.175 (2 37 CFR § 3.73(b) (copy osure Statement (3 pages	of Assign Record.)	
Documents listed Check in the amou	on the Form PTO-1449	(43 documents)	



	TO BE COMPLETED WHEN OFFICIAL FILING RECEIPT ARRIVES
· ()	Serial numbers on the postcard and the filing receipt match
( ) <sup>.</sup>	Filing dates on the postcard and filing receipt match
( )	Filing fee (paid by check) and the filing fee received on the filing receipt match. If the filing fee was charged to the deposit account, the correct amount of the fee charged match
· ( )	Attorney docket number on the postcard, the application and the filing receipt match
· (·)	Number of sheets of drawings in the application, number noted on the postcard, and number noted on the filing receipt match
()	Total number of claims in the application noted in the transmittal letter and on the filing receipt match
()	Number of Independent claims in the application, noted in the transmittal letter, and on the postcard match
( )	Attorney named on the filing receipt and attorney named on the declaration/filing request match
· ( )	Inventor(s) named on the filing receipt and inventor(s) named in the declaration/filing request match
()	Title noted on filing receipt and on the application match  JUL 28 2003



15518-001001 Application No.	Express Mail Label No. EV342625306US Filing Date July 10, 2003	Mailing I July 10, 2003 Attorney/Secretary Init DPW/jxw	For PTO Use Only Do Not Mark in This Area
Title of the Invention	July 10, 2003		
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Applicant			
Sanford Cobb, Jr.			4
Enclosures			·
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15518-001001

Fish & Richardson P.C.

162676

225-Franklin Street Boston, Massachusetts 02110-2804

PAY One thousand seven hundred fifty - eight and or 100 DOLLARS

TO THE ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

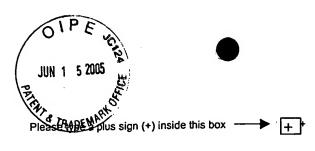
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FISH & RICHARDSON P.C.

52-153/112

Fleet Maine, N.A. www.fieet.com South Portland, ME

BY\_DSJAC



PTO/SB/50 (02-01)

Approved for use through 9/30/2000. OMB 0651-0033
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of miormation unless it displays a valid Civil Cultury number  REISSUE PATENT APPLICATION TRANSMITTAL									
					y Docket No.	15518-00	1001		
Addross to					amed Inventor	Sanford C			
Address to: Assistant Commissioner for Patents					Patent Number	4,906,0			
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	Power of Attorney			14.	14. English Translation of Reissue Oath/Declaration (if applicable)				
7. Original U.S. Patent currently assigned? ☐ Yes ☐ No (If Yes, check applicable box(es))				15. Preliminary Amendment					
		all Assignees (PTO/SB/53)		16. 🖾	16. Return Receipt Postcard (MPEP 503)				
	C.F.R. § 3.73(b)			ļ	(Should be speci		•		
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231

PTO/SB/56 (06-03)
Approved for use through 01/31/2004. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
To a collection of information unless it displays a valid CMB control comment.

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A duplicate copy of this sheet is enclosed.  A duplicate copy of this sheet is enclosed.  The Director is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. 06-1050  A duplicate copy of this sheet is enclosed.														
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This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee

: Minnesota Mining and

Art Unit

: Unknown

Manufacturing Company

Examiner: Unknown

Patent No.: 4,906,070

218,087 Serial No.:

Filed

: July 12, 1988

Title -

TOTALLY INTERNALLY REFLECTING THIN, FLEXIBLE FILM

Commissioner for Patents Washington, D.C. 20231

## DECLARATION PURSUANT TO 37 C.F.R. §1.175

I, Sanford Cobb, Jr., declare that I believe that I am the original and first inventor of the subject matter that is described and claimed in United States Patent No. 4,906,070 for which I solicit a reissue patent; that I have reviewed and understand the contents of the above-identified reissue application, including its specification and claims; that I acknowledge the duty to disclose all information of which I am aware that is material to the examination of this reissue application in accordance with 37 C.F.R. §1.56(a); that the aforesaid patent is partly inoperative by reason of claiming less than I had the right to claim in the patent; and that said inoperativeness is a result of error that arose inadvertently and without any deceptive intention.

One error relied upon as the basis of this reissue application is that the patent fails to claim, in the form of dependent claims, certain embodiments disclosed in the specification that fall within the genus set forth in the independent claims. For example, although the specification discloses, by means of certain patents incorporated by reference, films having a composite structure in which prisms are bonded to a separate sheet material, the patent fails to include specific claims to such films. This error and any and all other errors being corrected in the reissue application arose without deceptive intention.

> CERTIFICATE OF MAILING BY EXPRESS MAIL Express Mail Label No. EV3426253010US

Date of Deposit

Patent No.: 4,906,070 Serial No.: 218,087

Filed : July 12, 1988

Page : 2 of 2

JUN 1 5 2005

I hereby appoint the following and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Attorney's Docket No.: 15518-001001

Dorothy P. Whelan, Reg. No. 33,814 John J. Gagel, Reg. No. 33,499 Practitioners at Customer Number 36001.

Please address all communications to:

Dorothy P. Whelan, Esq. Fish & Richardson, P.C. P.A. 60 S. Sixth St., Suite 3300 Minneapolis, MN 55402

Please address all telephone calls to:

Dorothy P. Whelan, Esq. (612) 337-2509

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believe to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patents issued thereon.

Sanford Cobb, Jr.

Residence and Post 2170 Itasca Ave. S., P.O. Box302, Lakeland, MN 55043

Office Address: 2170

Citizenship:

United States

Date: June 16, 2003



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee

: Minnesota Mining and

Art Unit

: Unknown

Manufacturing Company

Examiner: Unknown

Patent No.: 4,906,070

Serial No.: 218,087

Filed

: July 12, 1988

Title

: TOTALLY INTERNALLY REFLECTING THIN, FLEXIBLE FILM

Commissioner for Patents Washington, D.C. 20231

### CONSENT OF ASSIGNEE AND OFFER TO SURRENDER

The undersigned, 3M Innovative Properties Company, being the assignee of all right, title, and interest in and to the above-referenced U.S. Patent No. 4,906,070 by virtue of an assignment from Minnesota Mining and Manufacturing Company, the prior assignee of all right, title, and interest in and to the above-referenced U.S. Patent No. 4,906,070 by virtue of assignments from Sanford Cobb, Jr., the inventor of the above-referenced U.S. Patent No. 4,906,070, to Minnesota Mining and Manufacturing Company recorded (a) November 21, 1985 at Reel 4485, Frame 0413 and (b) January 15, 1986 at Reel 4504, Frame 0236, hereby offers to surrender U.S. Patent No. 4,906,070 and further requests that Letters Patent be reissued to it upon the foregoing amended application.

3M Innovative Properties Company

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV34



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee : Minnesota Mining and

Art Unit : Unknown

Manufacturing Company

Examiner: Unknown

Patent No.: 4,906,070 Serial No.: 218,087

Filed

: July 12, 1988

: TOTALLY INTERNALLY REFLECTING THIN, FLEXIBLE FILM Title

Commissioner for Patents Washington, D.C. 20231

#### CERTIFICATE UNDER 37 CFR §3.73(b)

Under 37 CFR §3.73(b), 3M Innovative Properties Company, a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of:

A chain of title from the inventor of the patent identified above, to the current assignee as shown below.

- From Sanford Cobb, Jr. to Minnesota Mining and Manufacturing 1. Company recorded in the Patent and Trademark Office at Reel 4485, Frame 0413 on November 21, 1985.
- From Sanford Cobb, Jr. to Minnesota Mining and Manufacturing 2. Company recorded in the Patent and Trademark Office at Reel 4504, Frame 0236 on January 15, 1986.
- From Minnesota Mining and Manufacturing Company to 3M Innovative 3. Properties Company and submitted under separate cover for recordation with the Patent and Trademark Office on May 28, 2003 (copy attached as Exhibit 1).

CERTIFICATE OF MAILING BY EXPRESS MAIL Express Mail Label No. EV3426253064

Patent No.:

4,906,070

Serial No.:

218,087 July 12, 1988

Filed Page

2 of 2

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

3M Innovative Properties Company

Attorney's Docket No.: 15518-001001

Name:

60136395.doc



	ORM COVER SHEET TS ONLY		
To: The Honorable Commissioner of Patents and Tradema Please record the attached original document(s) or copy the	rks		
1. Name of conveying party(ies) (Execution D			
3M Company (formerly Minnesota May 20, 2003 Mining and Manufacturing Company), a Corporation of the State of Delaware	3M Innovative Properties Company P.O. Box 33427 St. Paul, Minnesota 55133-3427		
Additional names of conveying party(ies) attached?  ☐ Yes ☑ No	Additional names of receiving party(ies) attached?  Yes No		
3. Nature of Conveyance:  ☐ Assignment ☐ Merger ☐ Security Agreement ☐ Other:  ☐ Change of Name			
<ul> <li>If this is a request for correction of a previously recorded document, a coppreviously recorded assignment and previous Notice of Recordation is en</li> <li>4. Application number or patent number:         <ul> <li>This document is being filed contemporaneously with a ne</li> <li>This document is to be recorded against the following pate</li> <li>07/218087</li> <li>Enter Patent Cooperation Treaty (PCT) application number</li> </ul> </li> </ul>	w patent application. In application or patent: 06/903657, 07/472621,  only if a USSN has not been assigned:		
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Stephen W. Buckingham Office of Intellectual Property Counsel 3M Innovative Properties Company	tached? Yes No  6. Total number of applications and patents involved:  3		
Phone Number: (651) 733-3379  32692  PATENT TRADEMARK OFFICE	7. Total fee (37 CFR 3.41): \$120.00  Enclosed  Authorized to be charged to deposit account  8. Deposit Account Number: 13-3723		
DO NOT US	E THIS SPACE		
9. Statement and Signature  To the best of my knowledge and belief, the foregoing informat original document. Charges to deposit account are authorized, Printed Name of Attorney/Agent: Stephen W. Buckingham Registration No.: 30,035  Pages: Total number of pages including COVER SHEET, a	May 28, 2003		

#### ASSIGNMENT

ASSIGNOR:

3M COMPANY (formerly MINNESOTA MINING AND MANUFACTURING COMPANY)

of:

PO Box 33427

St. Paul, Minnesota 55133-3427 United States of America

a corporation organized and existing under the laws of the State of Delaware, United States of America does hereby claim and declare that it is the owner of all right, title and interest in and to the following Patent Application(s) or letters Patents(s) and other rights and powers obtainable or exercisable in respect thereof as numbered in United States Patent(s) and /or Patent Application(s):

Patent Application No.	Patent Number	Filing Date	Issue Date
06/903657	4805984	September 5, 1986	February 21, 1989
07/472621	5056892	January 30, 1990	October 15, 1991
07/218087	4906070	July 12, 1988	March 6, 1990

3M Company (formerly Minnesota Mining and Manufacturing Company) does hereby, for good and valuable consideration, effective as of April 1, 1999, received, sell, assign and transfer unto:

ASSIGNEE:

3M INNOVATIVE PROPERTIES COMPANY

of:

PO Box 33427

St. Paul, Minnesota 55133-3427

United States of America

a corporation organized and existing under the laws of the State of Delaware, United States of America, its entire right, title and interest in and to the said Patent Application(s) or Letters Patent(s) including any division, continuation (in whole or in part) reissue or reexamination thereof, and in and to any countries foreign thereto, and consent to the recordal of this Assignment.

**ASSIGNOR** Subscribed and Sworn:

At St. Paul, Minnesota 55133-3427

this day of May, 2003 3M COMPANY (formerly MINNESOTA MINING AND MANUFACTURING COMPANY)

Name: Carolyn A. Bates

Assistant Chief Intellectual Property

Counsel

its:

Subscribed and sworn to before me this

day of May, 2003

Notary Public

CHERYL A. SAVER HOTARY PUBLIC MINNESOTA My Comm. Expires Ian. 31 2005 ASSIGNEE

Accepted:

At St. Paul, Minnesota 55133-3427

day of May, 2003

**3M INNOVATIVE PROPERTIES COMPANY** 

Name! Gary L. Griswold

President and Chief Intellectual Property

Counsel

Subscribed and sworn to before me this

day of May, 2003

JEAN S. KISTLER NOTARY PUBLIC MINNESOTA

Page 1 of 1



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee : Minnesota Mining and

Art Unit : Unknown

Manufacturing Company

Examiner: Unknown

Patent No.: 4,906,070

Serial No.: 218,087

Filed

: July 12, 1988

Title

: TOTALLY INTERNALLY REFLECTING THIN, FLEXIBLE FILM

Commissioner for Patents Washington, D.C. 20231

#### INFORMATION DISCLOSURE STATEMENT

Applicant submits copies of the following documents listed on the attached Form 1449:

- (a) Agreement dated August 20, 1984 between Minnesota Mining and Manufacturing
- Company ("3M") and TIR Systems Limited ("the Agreement");
  - (b) Memo dated 10/4/84 from S. Cobb to J.F. Abere;
  - (c) Memo dated 10/26/84 from R. Appeldorn to R. Adalbert et al.;
  - (d) Memo dated 11/12/84 from John C. Barnes to R.H. Appeldom.

The subject matter of the Agreement is a thin, flexible, prism light guide material. The

three memos relate to the material and to the Agreement.

Applicant further submits copies of the following patents listed on the attached Form

1449:

2,175,067 Rolph

2,218,227 Winnek

2,232,551 Merton

2,248,638 Merton

2,279,555 Browne et al.

2,723,919 Pohnan

3,288,990 Stahlhut

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3,894,228 Cobb, Jr.

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Patent No.: 4,906,070 Serial No.: 218,087 Filed: July 12, 1988

Page: 2 of 3

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Translations for the following references will be provided shortly:

48-7051 Japan

58-51144 Japan

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Page: 3 of 3

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Respectfully submitted,

Attorney's Docket No.: 15518-001001

Date: 2/0/05

Dorothy, P. Whelan Reg. No. 33,814

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Application No.

## Information Disclosure Statement by Applicant

(Use several sheets if necessary)

Applicant Sanford Cobb, Jr.

Filing Date

Group Art Unit

(37 CFR §1.98(b))

		<del></del>		ent Documents	<del></del>		Filing Date
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	If Appropriate
	AA	2,175,067		Rolph			
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Foreign Patent Documents or Published Foreign Patent Applications								
Examiner	Desig.	Document	Publication	Country or				slation
Initial	ID ID	Number	Date	Patent Office	Class	Subclass	Yes	No

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Foreign Patent Documents or Published Foreign Patent Applications								
Examiner	Desig.	Document	Publication	Country or			Translation	
Initial	ID	Number	Date	Patent Office	Class	Subclass	Yes	No
	AY	0 142 250	·	Europe				
<del></del>	AZ	27-1880		Japan			X	
	AAA	28-4669		Japan			Х	
	ABB	48-7051		Japan				х
	ACC	49-51857		Japan				X
	ADD	53-57068		Japan			х	
	AEE	55-159304		Japan				х
	AFF	56-77805		Japan				х
:	AGG	58-102904		Japan			x	
	АНН	58-51144		Japan				X
	AII	60-70603		Japan				X
	AJJ	1,426,230		United Kingdom				
	AKK	2,127,344		United Kingdom				

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	ALL	Agreement dated August 20, 1984 between Minnesota Mining and Manufacturing Company ("3M") and TIR Systems Limited ("the Agreement")	
	AMM	Memo dated 10/4/84 from S. Cobb to J.F. Abere	
	ANN	Memo dated 10/26/84 from R. Appeldorn to R. Adalbert et al.	
	AOO	Memo dated 11/12/84 from John C. Barnes to R.H. Appeldorn	
	АРР	Fumio Ide & Hiroshi Terada, "Kobunshi Shinsozai One Point-2, 'Optical Fiber & Optical Materials'"; edited by Japan Polymer Society, published by Kyoritsu Shuppan K.K. on June 15, 1987, pp. 10-14.	
	AQQ	"Polycarbonate Resin Handbook", edited by Seiichi Honma, published by Nikkkan Kogyo Shinbunsha on August 28, 1992, pp. 121-125.	

Examiner Signature	Date Considered
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